

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether  
("MTBE") Products Liability Litigation

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This Document Relates To:

X

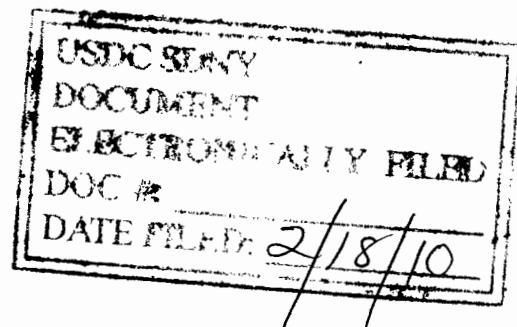
Buchanan County School Board v. Amerada Hess  
Corp., et al., 04-CV-3418

Patrick County School Board v. Amerada Hess  
Corp., et al., 04-CV-2070

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Master File No. 1:00-1898  
MDL No. 1358 (SAS)  
M21-88



**[PROPOSED] ORDER GRANTING MOTION FOR VOLUNTARY  
DISMISSAL WITHOUT PREJUDICE PURSUANT TO FRCP 41(a)(2)**

The Court, having considered Plaintiffs Buchanan County School Board and Patrick

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation  
County School Board's (Plaintiffs) and Defendants Parker Oil Company and Parker Holding

Doc. 3005

Company, Inc.'s Joint Motion for Voluntary Dismissal Without Prejudice pursuant to Rule  
41(a)(2) of the Federal Rules of Civil Procedure, it hereby grants the motion and dismisses  
without prejudice Plaintiffs' action as to Defendants Parker Oil Company and Parker Holding  
Company, Inc., with each party to bear its own costs.

DATED: Feb 18, 2010

  
HON. SHIRA A. SCHEINDLIN

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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*Buchanan County School Board v. Amerada Hess Corp., et al.*, 04-CV-3418

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**PLAINTIFFS AND DEFENDANTS PARKER OIL COMPANY and PARKER HOLDING COMPANY, INC.'S JOINT MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO FRCP 41(a)(2)**

Plaintiffs Buchanan County School Board and Patrick County School Board ("Plaintiffs") own and operate public drinking water systems that supply water to residential and business users within its service areas. Plaintiffs allege that its water supplies are impacted and/or threatened by MTBE contamination. Because these matters are not "focus cases", minimal discovery or other work has been conducted in these matters.

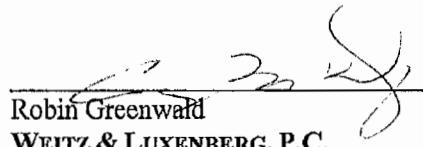
Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs and Defendants Parker Oil Company and Parker Holding Company, Inc. ("Parker") now jointly move for dismissal without prejudice. Plaintiffs have decided not to pursue its MTBE claims against Parker at this time. Plaintiffs and Parker ask the court to dismiss Plaintiffs' MTBE claims against Parker without prejudice, with each party to bear its own costs. Plaintiffs' MTBE claims against Parker without prejudice, with each party to bear its own

costs. Plaintiffs and Parker agree that this request is reasonable and prejudices neither Plaintiffs nor Parker.

DATED: February 9, 2010.

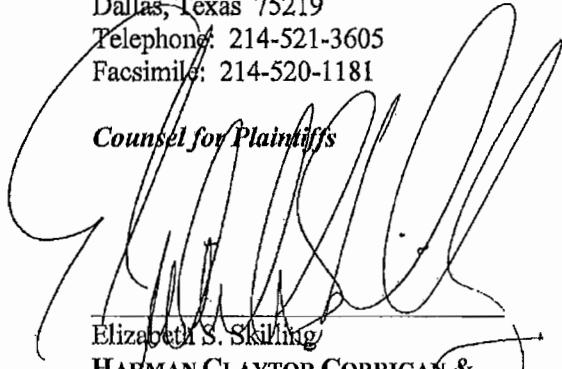
Respectfully submitted,

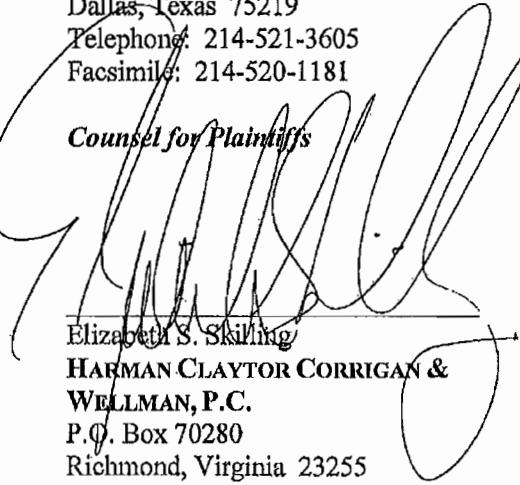
by:

  
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*Counsel for Defendants Parker Oil Company and Parker Holding Company, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **PLAINTIFFS AND DEFENDANTS PARKER OIL COMPANY and PARKER HOLDING COMPANY, INC.'S JOINT MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO FRCP 41(a)(2)** was electronically filed with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record. I also certify that a copy of the same was also served on all counsel of record by posting it directly to LexisNexis File & Serve on February 9, 2010.

  
\_\_\_\_\_  
Cary McDougal